

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

**MARVIN GABRIEL HOLMES,
ID# 1712754,**

Plaintiff,

VS.

THOMAS E. BRANDON,

Defendant.

**CIVIL ACTION NO.
1:16-CV-0012-P-BL**

ORDER ACCEPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

After reviewing the objections to the Report and Recommendation of the United States Magistrate Judge and conducting a *de novo* review of those parts of the Report and Recommendation to which objections have been made, the Court is of the opinion that the Report and Recommendation of the Magistrate Judge is correct and is accepted as the Report and Recommendation of the Court. The magistrate judge found that Plaintiff's claims were factually frivolous. Although Plaintiff claims in his written objections that his complaint includes exhibits that support his claim of injury from electrical waves in the walls of his prison unit, the attachments to his complaint are only his handwritten papers marked by him with the title "I-60." Doc. 1, at 6-7. Otherwise, Plaintiff writes.

In the Science and Technology Department in the (ATF Department) they have a machine that they can shoot at your head and know what you are saying to yourself and see everything you are picturing in your mind. This machine comes with a X-ray camera that can X-ray threw [sic] cars and buildings. . . The camera is now attached to the watchtower antenna right outside of my cell and I can here [sic] the informant's talking to me some kind of way.


Doc. 7. Plaintiff continues to recite factually frivolous claims.

Thus, for the reasons stated in the Report and Recommendation of the United States

Magistrate Judge, by separate judgment, the complaint will be **DISMISSED** with prejudice as frivolous under 28 U.S.C. §§ 1915A(b)(1) and 1915(e)(2)(B)(i).

If the plaintiff files a notice of appeal, he must pay the \$505.00 appellate filing fee or submit a motion to proceed *in forma pauperis* and a properly signed certificate of inmate trust account.

SIGNED this 29th day of March, 2016.



JORGE A. SOLIS
UNITED STATES DISTRICT JUDGE